

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Roger M. Brank**  
**fdba Brank Construction**  
**Sarah M. Brank**  
Debtor(s)

Bankruptcy Case No.: 15-23890-GLT  
Related to Docket No. 96  
Chapter: 13  
Docket No.: 97 – 96  
Concil. Conf.: February 1, 2018 at 09:00 AM

**ORDER**

**WHEREAS**, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

**IT IS HEREBY ORDERED** that, on or before **December 28, 2017**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit* or *Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

**OR**

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

**IT IS FURTHER ORDERED** that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **January 12, 2018**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **February 1, 2018** at **09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: November 13, 2017

cm: All Creditors and Parties In Interest



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Gregory L. Taddonio, Judge  
United States Bankruptcy Court

**INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT**

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee  
P.O. Box 84051  
Chicago, IL 60689-4002

**Certificate of Notice Page 4 of 4**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Roger M. Brank  
 Sarah M. Brank  
 Debtors

Case No. 15-23890-GLT  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 213

Page 1 of 1  
 Total Noticed: 11

Date Rcvd: Nov 13, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 15, 2017.

db/jdb	+Roger M. Brank, Sarah M. Brank, 155 High Street, Avonmore, PA 15618-1281
14127230	+Chrysler Financial, 4600 Touchton Road, Suite 400, Jacksonville, FL 32246-8299
14127236	+Peoples TW Phillips Gas, 205 North Main Street, Butler, PA 16001-4904
14127237	+US Bank, c/o Rushmore Loan Management Services, P.O. Box 52708, Irvine, CA 92619-2708
14142086	+US Bank, National Association, not in its individu, Rushmore Loan Management Services, P.O. Box 55004, Irvine, CA 92619-5004

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14127231	E-mail/Text: ebn@vativrecovery.com Nov 14 2017 02:21:40 Hellig Meyers, c/o Palisades Collections, P.O. Box 40728, Houston, TX 77240-0728
14127232	E-mail/Text: cio.bncmail@irs.gov Nov 14 2017 02:21:38 Internal Revenue Service, P.O. Box 21125, Philadelphia, PA 19114
14127233	E-mail/Text: JCAP_BNC_Notices@jcap.com Nov 14 2017 02:22:20 Jefferson Capital Systems, P.O. Box 7999, Saint Cloud, MN 56302-9617
14127234	+E-mail/Text: RVSVCBICNOTICE1@state.pa.us Nov 14 2017 02:21:53 Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946
14127238	E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Nov 14 2017 02:21:14 Verizon, c/o American Infomsource, P.O. Box 248838, Oklahoma City, OK 73124-8838
14127239	+E-mail/Text: bankruptcydpt@mcmcg.com Nov 14 2017 02:22:06 Walmart & GE Capital Retail Bank, c/o Midland Funding, 8875 Aero Drive, Suite 200, San Diego, CA 92123-2255
	TOTAL: 6

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr	US Bank, National Association, Et Al...
14129959*	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, PA 17128-0946
14127235*	+Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946

TOTALS: 1, \* 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 15, 2017

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 13, 2017 at the address(es) listed below:

Andrew F Gornall	on behalf of Creditor	US Bank, National Association, Et Al...
agornall@goldbecklaw.com,	bkgroup@goldbecklaw.com;	bkgroup@kmlawgroup.com
James Warmbrodt	on behalf of Creditor	US Bank, National Association, Et Al...
bkgroup@kmlawgroup.com		
Kenneth Steidl	on behalf of Joint Debtor Sarah M. Brank	julie.steidl@steidl-steinberg.com,
ken.steidl@steidl-steinberg.com;	ifriend@steidl-steinberg.com;	asteidl@steidl-steinberg.com;
leslie.nebel@steidl-steinberg.com;	todd@steidl-steinberg.com;	cgoga@steidl-steinberg.com;
jbarlow@steidl-steinberg.com		
Kenneth Steidl	on behalf of Debtor Roger M. Brank	julie.steidl@steidl-steinberg.com,
ken.steidl@steidl-steinberg.com;	ifriend@steidl-steinberg.com;	asteidl@steidl-steinberg.com;
leslie.nebel@steidl-steinberg.com;	todd@steidl-steinberg.com;	cgoga@steidl-steinberg.com;
jbarlow@steidl-steinberg.com		
Matthew John McClelland	on behalf of Creditor	US Bank, National Association, Et Al...
bkgroup@kmlawgroup.com		
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov	
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com	

TOTAL: 7